

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Joseph M. Cintron & Tracy B. Cintron

Case No.: 17-10647 CMG
Judge: Christine M. Gravelle
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- ☐ Original ☒ Modified/Notice Required ☒ Discharge Sought
☐ Motions Included ☐ Modified/No Notice Required ☐ No Discharge Sought

Date: June 26, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 1140 per month to the Chapter 13 Trustee, starting on July 1, 2017 for approximately 55 more (of 60) months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Chapter 13 Trustee	Trustee Commissions	10%
Law Office of Joseph Rogers	Attorney fee	\$3199 + \$600 pending supplemental fees
Internal Revenue Service	Taxes	\$1156.22
New Jersey Division of Taxation	Taxes	\$1865.25

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
RoundPoint Comm. Power FCU Internal Rev Service CCMUA Regional Sewer	first mortgage second mortgage tax lien sewer lien	\$17,197.69 \$4780.74 \$29,578.27 \$417.18	18%	\$17,197.69 \$4780.74 \$29,578.27 \$641.55	

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☒ Not less than _____ 0 _____ percent
- ☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Joseph Rogers, Esquire
- 3) _____
- 4) _____

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: efiled 1/11/2017.

Explain below **why** the plan is being modified:

To address the Internal Revenue Service and State of New Jersey proofs of claims. To remove payment to Pennsauken Tax Office.

Explain below **how** the plan is being modified:

The Internal Revenue Service secured and priority claim is listed to be paid pursuant to the 2nd amended proof of claim. The State of New Jersey priority claim is listed to be paid pursuant to the amended proof of claim. Pennsauken Tax Office is not to receive payments through the plan (advised that no tax is owed and no proof of claim was filed). Payments are recalculated.

\$2860 paid to date. Total plan length 60 months.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: _____

/s/ Joseph J. Rogers
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 7/7/17 _____

/s/ Joseph M. Cintron
Debtor

Date: 7/7/17 _____

/s/ Tracy B. Cintron
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Joseph M. Cintron
 Tracy B. Cintron
 Debtors

Case No. 17-10647-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

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 Total Noticed: 38

Date Rcvd: Jul 17, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 19, 2017.

db/jdb
 516589471 +Joseph M. Cintron, Tracy B. Cintron, 5531 Wayne Avenue, Pennsauken, NJ 08110-1848
 516589472 +Advocare Ped Physicians Of Bur, 204 Ark Road Suite 209, Mount Laurel, NJ 08054-3100
 516589473 +Apex Asset, 2501 Oregon Pike, Lancaster, PA 17601-4890
 516589489 +Camden County MUA, Regional Sewer Service, 1645 Ferry Avenue, Camden, NJ 08104-1311
 516589473 +Capital One, Po Box 30285, Salt Lake City, UT 84130-0285
 516709635 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 516589474 +Chase Card, Attn: Correspondence, Po Box 15298, Wilmington, DE 19850-5298
 516589475 +Citibank/Goodyear, Citicorp Cr Svcs/Centralized Bankruptcy, Po Box 790040,
 S Louis, MO 63179-0040
 516589476 +Comenitycapital/bosco, Comenity Bank, Po Box 182125, Columbus, OH 43218-2125
 516589477 +Community Powered Fcu, 5531 Wayne Avenue, Pennsauken, NJ 08110-1848
 516821680 +Community Powered Federal Credit Union, Attn WJ Winterstein Jr., Esq., PO Box 1006,
 Royersford, PA 19468-8072
 516816404 +Community Powered Federal Credit Union, 1758 Pulaski Highway, Bear, DE 19701-1712
 516589479 Financial Recoveries, PO Box 1388, Mt Laurel, NJ 08054-7388
 516589480 +IC Systems, Inc, 444 Highway 96 East, Po Box 64378, St Paul, MN 55164-0378
 516589484 +KML Law Group PC, 216 Haddon Avenue Suite 406, Collingswood, NJ 08108-2812
 516589483 +Kennedy Health, 500 Marlboro Avenue, Cherry Hill, NJ 08002-2020
 516589486 +Law Office of W.J. Winterstein Jr., PO Box 1006, Royersford, PA 19468-8072
 516589487 +Moorestown Dermatology, 110 Marter Avenue, Suite 102, Moorestown, NJ 08057-3124
 516589488 +Pennsauken Tax Office, 5605 N. Crescent Boulevard, Pennsauken, NJ 08110-1834
 516628308 Regional Sewer Service, PO Box 1105, Bellmawr, NJ 08099-5105
 516589490 +Remex Inc, 307 Wall St, Princeton, NJ 08540-1515
 516816390 +RoundPoint Mortgage Servicing Corporation, 5016 Parkway Plaza Blvd, Suite 200,
 Charlotte, NC 28217-1930
 516589491 +Roundpoint Mtg, 5032 Parkway Plaza Blvd, Charlotte, NC 28217-1918
 516710175 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Division of Taxation, Bankruptcy Section,
 PO Box 245, Trenton, NJ 08695-0245)
 516589492 South Jersey Radiology Associates, PO Box 1710, Voorhees, NJ 08043-7710
 516589493 State Of New Jersey, CN-190, Division Of Taxation, Trenton, NJ 08650

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 17 2017 22:15:31 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 17 2017 22:15:28 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516598538 E-mail/Text: mrdiscen@discover.com Jul 17 2017 22:14:56 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 516589478 +E-mail/Text: mrdiscen@discover.com Jul 17 2017 22:14:56 Discover Financial, Po Box 3025,
 New Albany, OH 43054-3025
 516589482 E-mail/Text: cio.bncmail@irs.gov Jul 17 2017 22:15:05 IRS, P.O. Box 21126,
 Centralized Insolvency-Operations, Philadelphia, PA 19114
 516589485 +E-mail/Text: bnckohlsnotices@becket-lee.com Jul 17 2017 22:14:58 Kohls/Capital One,
 Po Box 3120, Milwaukee, WI 53201-3120
 516819635 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 17 2017 22:30:32
 Portfolio Recovery Associates, LLC, c/o Direct Merchants Bank, POB 41067,
 Norfolk VA 23541
 516819749 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 17 2017 22:30:40
 Portfolio Recovery Associates, LLC, c/o Goodyear, POB 41067, Norfolk VA 23541
 516819667 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 17 2017 22:17:20
 Portfolio Recovery Associates, LLC, c/o Household Bank, POB 41067, Norfolk VA 23541
 516819663 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 17 2017 22:17:07
 Portfolio Recovery Associates, LLC, c/o Orchard Bank, POB 41067, Norfolk VA 23541
 516687319 E-mail/Text: bnc-quantum@quantum3group.com Jul 17 2017 22:15:22
 Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
 Kirkland, WA 98083-0788
 516657550 +E-mail/PDF: gecsed@recoverycorp.com Jul 17 2017 22:17:11 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 12

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516589481* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
 PHILADELPHIA PA 19101-7346
 (address filed with court: Internal Revenue Service, 955 South Springfield Avenue,
 Bankruptcy Department, Springfield, NJ 08071)
 516631625* Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 38

Date Rcvd: Jul 17, 2017

***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 19, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 14, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor RoundPoint Mortgage Servicing Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Jennifer G. Fowler on behalf of Creditor Community Powered Federal Credit Union
jgf@eisnerfowler.com
Joseph J. Rogers on behalf of Debtor Joseph M. Cintron jjresq@comcast.net, jjresql@comcast.net
Joseph J. Rogers on behalf of Joint Debtor Tracy B. Cintron jjresq@comcast.net,
jjresql@comcast.net
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7